PATENT COOPERATION TREATY

PCT

TRANSLATION INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or a	gent's file reference	FOR FURTHER A	ACTION	See Form PCT/IPEA/416				
International application No.		International filing d	• •	Priority date (day/month/year)				
	2004/012206	28.10.200		08.11.2003				
International Patent Classification (IPC) or national classification and IPC								
F28F9/02 F28F27/02 F28D7/16 F02M25/07								
Applicant DAIMLERCHRYSLER AG								
	 This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36. 							
2. This l	REPORT consists of a to	al of 4	sheets, includin	ng this cover sheet.				
3. This i	eport is also accompanie	d by ANNEXES, comprising	:					
a. 2	(sent to the applica	nt and to the International Bi	ureau) a total of 2	sheets, as follows:				
	sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or							
	sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).							
	sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental							
І, г	Box.	d - 10 1	· · · · · · · · · · · · · · · · · · ·					
b. <u>L</u>	(sent to the Interno	tional Bureau only) a total of	(indicate type and number	er of electronic carrier(s))				
	related thereto, in co	mouter readable form only	as indicated in the Supple	, containing a sequence listing and/or tables				
related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).								
4. This i	eport contains indication	s relating to the following iter	ms:					
	Box No. I Basi	s of the report						
	Box No. II Prior	ity						
	Box No. III Non-	establishment of opinion with	n regard to novelty, inven	tive step and industrial applicability				
	Box No. IV Lack	of unity of invention						
	Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement							
Box No. VI Certain documents cited								
Box No. VII Certain defects in the internationa			l application					
	Box No. VIII Certain observations on the international application							
Date of submission of the demand		Date of completion of this report						
Name and mailing address of the IPEA/EP			Authorized officer					
Facsimile No.			Telephone No.					

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/EP2004/012206

Box	No. I	I Basis of the report		
1.		th regard to the language, this report is based on the internation icated under this item.	al application in the language in	which it was filed, unless otherwise
		This report is based on translations from the original languag which is the language of a translation furnished for the purpo		,
		international search (Rule 12.3 and 23.1(b))		
		publication of the international application (Rule 12.4)		
		international preliminary examination (Rule 55.2 and/o	or 55.3)	
2.	rece	th regard to the elements of the international application, this r eiving Office in response to an invitation under Article 14 are report):		
		the international application as originally filed/furnished		
	$\overline{\boxtimes}$	the description:		
		pages 1-6		as originally filed/furnished
		pages*		
		pages*		
	\boxtimes	the claims:		
		nos.		as originally filed/furnished
		nos.*		12.05.2005 with letter
		nos.* <u>1-5</u>		
		nos.*	received by this Authority on	
	M	the drawings:		
		sheets 1/1		as originally filed/furnished
		sheets*	received by this Authority on	
		sheets*	received by this Authority on	
		a sequence listing and/or any related table(s) - see Suppleme	ntal Box Relating to Sequence L	isting.
3.		The amendments have resulted in the cancellation of:		
		the description, pages		
		the claims, nos.		
		41 - 4		-
		any table(s) related to sequence listing (specify):		
4.	\Box	This report has been established as if (some of) the amenda		
	ш	they have been considered to go beyond the disclosure as file		
		the description, pages		
		the claims, nos.		
		the drawings, sheets/figs		
		the sequence listing (specify):		
		any table(s) related to sequence listing (specify):		
*	If ite	em 4 applies, some or all of those sheets may be marked "super	rseded."	

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Вох			ticle 35(2) with regard to novelty, inventive step or industrial applicability; porting such statement	
1.	Statement			
	Novelty (N)	Claims	1-5	YES
		Claims		_ NO
Inventive step (IS)		Claims	1-5	YES
		Claims		_ NO
	Industrial applicability (IA)	Claims	1-5	YES
		Claims		NO

- 2. Citations and explanations (Rule 70.7)
 - 1 This report makes reference to the following document:
 - D1: PATENT ABSTRACTS OF JAPAN vol. 2000, no. 05, 14 September 2000 (2000-09-14) & JP 2000 045884 A (HINO MOTORS LTD; SANKYO RADIATOR KK), 15 February 2000 (2000-02-15)
 - 2 INDEPENDENT CLAIM 1

D1 is considered to be the prior art closest to the subject matter of claim 1. D1 discloses the preamble of this claim.

The subject matter of claim 1 differs from this known heat exchanger in that the passage holes form an expansion element.

The subject matter of claim 5 is therefore novel (PCT Article 33(2)).

The problem to be solved by the present invention can be regarded as that of reducing tension from expansion without impairing the good distribution of the

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International application No.
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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

current.

The solution to this problem as proposed in claim 5 of the present application involves an inventive step for the following reasons (PCT Article 33(3)):

- nothing that would suggest such a solution can be found in the available documents.
- 3 Claims 2 to 5 are dependent on claim 1 and therefore also meet the PCT requirements for novelty and inventive step.